INTERNATIONAL COMMISSION OF JURISTS
COMMISSION INTERNATIONALE DE JURISTES • COMISIÓN INTERNACIONAL DE JURISTAS
PRESS RELEASE • COMMUNIQUÉ DE PRESSE • COMUNICADO DE PRENSA

Geneva 6 March 1992 **FOR IMMEDIATE RELEASE**

JURISTS: U.N. SETS RECORD FOR HUMAN RIGHTS ACTIONS

Moves on Burma, Timor, Haiti, Iran and Sudan Cited; decision on China and Tibet deplored.

The United Nations Commission on Human Rights, which closes its annual six-week session today "achieved several landmark successes," according to the International Commission of Jurists (ICJ), a leading human rights watch-dog.

The ICJ noted that the Commission had taken action on the human rights situation in a record 22 countries, and highlighted in particular its decisions to create or upgrade monitoring mechanisms in Burma, Equatorial Guinea, Haiti, Sudan and East Timor. The ICJ regretted, however, that the Commission voted, by 27-15-10 , to block action on a draft resolution presented by the European Community expressing concern over human rights violations in China and focusing particularly on Tibet, which has been occupied by China since 1949.

The Geneva-based ICJ noted that the Commission's successes came in the first year after its membership had been expanded from 43 to 53 states to remedy the under-representation of the third world. According to ICJ Secretary-General Adama Dieng (Senegal), the session should thus "allay the fears of those who believed that the fair representation of developing countries would come at the expense of scrutiny of violations."

Among the Commission's actions on rights violations were strong criticisms of abuses in **South Africa** and the **Israeli-Occupied Territories** and :

- The appointment of a "Special Rapporteur" to monitor and report back to the Commission on abuses in **Myanmar (Burma)**, where the Commission "deplored" the lack of democracy, and expressed "concern at the seriousness of the human rights situation;"

- The naming of a similar monitor for **Haiti**, where the UN "strongly condemned" the overthrow of the constitutionally-elected government of Jean-Bertrand Aristide," and expressed its "deep concern over flagrant human rights violations committed under the illegal government;"

- The appointment of a new Special Rapporteur for **Equatorial Guinea** where the Commission "deeply deplored the serious deterioration of the human rights situation;"

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- The Commission's statement of "serious concern" over the human rights situation in **East Timor** where it "strongly deplored" the 12 November 1991 killings of Timorese demonstrators by Indonesian troops. UN Secretary-General Boutros Boutros-Ghali will report to next year's Commission on the human rights situation on the island, which has been occupied by Indonesia since 1975;

- The appointment of a new monitor to report, in the Commission's confidential procedure, on the situation in the **Sudan**;

- The Commission's "strong condemnation of the massive violations of human rights, of the gravest nature" in **Iraq**, by a vote 35-1 with 16 abstentions, and the renewal of the Special Rapporteur, Max van der Stoel (Netherlands);

- The extension, by a vote of 22-12-15, of its monitor on **Iran**, where the Commission expressed "deep concern" at continuing reports of violations;

- The Commission's statement that it was "seriously concerned over the human rights situation" in **Sri Lanka**.

In addition to the Commission's failure to take action on **China** and **Tibet**, the ICJ regretted that the panel did not upgrade its scrutiny of **Guatemala**, despite its statement of "profound concern that serious violations of human rights continue to occur." Dieng criticized the United States for joining with Latin American countries to block a European move to have a Special Rapporteur replace the Commission's expert now assigned to provide technical assistance to the government.

According to ICJ Executive Secretary Reed Brody, "there is a potential majority on the Commission for the aggressive enforcement of human rights. It is only achieved, however, when major powers such as the United States are truly interested in strong action and exert pressure outweighing that brought to bear by the violator and its allies. This was the case for Sudan, Iraq and Iran, for instance, but not for China and Guatemala. The result on East Timor would have been much stronger had Australia not worked against effective action and had the United States taken a clear stand."

In other important actions cited by the ICJ, the Commission:

- adopted a draft declaration against forced "disappearances" which states that the systematic disappearances are "of the nature of a crime against humanity" and authorizes any country in whose jurisdiction an alleged offender is found to bring that person to justice;

- criticized the fraudulent enrichment of top state officials;

- adopted a draft declaration on the rights of minorities;

- authorized a study of the legal situation and possible protection mechanisms for the world's 20 to 30 million internally-displaced persons;

- set up a working group to study a protocol to the UN Torture Convention to allow a UN team to make surprise prison visits to investigate torture.